

TITLE 54
PROFESSIONS, VOCATIONS, AND BUSINESSES

CHAPTER 6
PODIATRISTS

54-601. PURPOSES OF THE ACT. The practice of podiatry in the state of Idaho is hereby declared to affect the public health, safety and welfare and to be subject to regulation and control in the public interest. It is further declared to be a matter of public interest and concern that the profession of podiatry merit and receive the confidence of the public, and to that end that only qualified persons be permitted to practice podiatry in the state of Idaho. This act shall be liberally construed to carry out these objects and purposes.

[54-601, added 1957, ch. 143, sec. 1, p. 235; am. 1976, ch. 361, sec. 1, p. 1184.]

54-602. PODIATRY DEFINED. (1) Podiatry shall, for the purpose of this chapter, mean the diagnosis and mechanical, electrical, medical, physical and surgical treatment of ailments of the human foot and leg, and the casting of feet for the purpose of preparing or prescribing corrective appliances, prosthetics, and/or the making of custom shoes for corrective treatment; provided, however, that the casting of feet for preparing corrective appliances, prosthetics and/or custom shoes may be permitted on the prescription of a duly licensed person in the healing arts in this state. Podiatrists shall be limited in their practice to the human foot and leg. Surgical treatment, as herein used, shall mean the surgical treatment of the foot and ankle and those soft tissue structures below the knee governing the function of the foot and ankle, but shall not include the amputation of the leg, surgery of the knee joint, surgery of the bony structures proximal to the distal half of the tibia, or the administration or monitoring of general anesthesia.

(2) Advanced surgical procedures, as determined by the state board of podiatry, shall be performed in a licensed hospital or certified ambulatory surgical center accredited by the joint commission on accreditation of healthcare organizations or the accreditation association for ambulatory health care where a peer review system is in place.

(3) A podiatrist may administer narcotics and medications in the treatment of ailments of the human foot and leg in the same manner as a physician and surgeon licensed to practice under [chapter 18, title 54](#), Idaho Code.

(4) It is not the intent of this section, and nothing herein shall be so construed, to prohibit the sale of noncustom built shoes that are commonly sold by merchants in commercial establishments.

(5) A podiatrist is defined as a natural person who practices podiatry and who within the scope of this chapter is a physician and surgeon of the foot and ankle, and shall be referred to as a podiatric physician and surgeon; provided, further, that nothing within this chapter shall prohibit any physician or surgeon, registered and licensed as such and authorized to practice under the laws of the state of Idaho, or any physician or surgeon of the United States army, navy or public health service when in actual performance of his duties, from practicing medicine and surgery.

[54-602, added 1957, ch. 143, sec. 2, p. 235; am. 1976, ch. 361, sec. 2, p. 1185; am. 2005, ch. 306, sec. 1, p. 955.]

54-603. LICENSE A PREREQUISITE TO PRACTICE. It is unlawful for any person to practice podiatry, as defined by this act, unless he shall first obtain a license so to do as provided in this act.

[54-603, added 1957, ch. 143, sec. 3, p. 235; am. 1976, ch. 361, sec. 3, p. 1185.]

54-604. ESTABLISHMENT OF STATE BOARD OF PODIATRY. (1) There is hereby established in the department of self-governing agencies a state board of podiatry to be composed of five (5) members to be appointed by the governor in the manner hereinafter set forth. Four (4) members shall be podiatrists, duly licensed under the laws of the state of Idaho, and who have been continuously engaged in the practice of podiatry for a period of not less than five (5) years prior to their appointment. The fifth member of the board shall be a layman, and resident of the state of Idaho for a period of not less than five (5) years prior to his appointment. All appointments to the board shall be made for terms of four (4) years, and all board members shall serve at the pleasure of the governor. Vacancies on the board, occurring for any reason, shall be filled by the governor. The governor in making appointments shall give consideration to but shall not be bound by the recommendations received from the Idaho podiatric medical association.

(2) The board shall select a chairman and a vice chairman annually. The chairman shall be a podiatrist. The board shall meet at least annually for the purpose of transacting any business which may lawfully come before it. The board may meet in special session at the call of the chairman, or at the call of not less than two-thirds (2/3) of the membership of the board. The members of the board shall each be compensated as provided by section [59-509](#)(m), Idaho Code.

(3) Examinations of applicants may be conducted by the board or by designated representatives of the board.

(4) A quorum will consist of at least three (3) members of the board. The chairman, or person acting as such, will vote only in the case of a tie.

[54-604, added 1957, ch. 143, sec. 4, p. 235; am. 1965, ch. 201, sec. 1, p. 446; am. 1969, ch. 464, sec. 5, p. 1304; am. 1974, ch. 13, sec. 53, p. 138; am. 1976, ch. 361, sec. 4, p. 1186; am. 1980, ch. 247, sec. 53, p. 619; am. 1990, ch. 36, sec. 1, p. 54; am. 1997, ch. 27, sec. 1, p. 43; am. 2000, ch. 41, sec. 1, p. 81; am. 2008, ch. 16, sec. 1, p. 22; am. 2014, ch. 101, sec. 1, p. 297; am. 2016, ch. 340, sec. 7, p. 935.]

54-605. POWERS AND DUTIES OF STATE BOARD OF PODIATRY. The state board of podiatry, herein referred to as the board, shall have the following powers:

(1) To approve examinations to ascertain the qualifications and fitness of applicants to practice podiatry; to pass upon the qualifications of applicants for licenses by endorsement; and to establish, by rule, the specific examinations to be required of each applicant for licensure.

(2) To prescribe rules defining for the podiatrists what shall constitute a reputable school, college or university, or department of a university or other institution in good standing, and to determine the reputability of good standing of a school, college or university, or department of a university or other institution, by reference to compliance with such rules.

(3) To establish a standard of preliminary education deemed requisite for admission to a school, college or university teaching podiatry, and to

require satisfactory proof of the enforcement of such standards by schools, colleges and universities.

(4) To prescribe rules for a fair and wholly impartial method of examination of candidates to practice podiatry.

(5) To conduct hearings and proceedings for discipline of licensees as set forth in this chapter.

(6) To make and promulgate rules when required in this chapter to be administered.

(7) To make and promulgate rules prescribing the standards for the ethical practice of podiatry in the state.

(8) To authorize, by written agreement, the bureau of occupational licenses as agent to act in its interest.

(9) To make and promulgate rules defining and requiring a podiatric residency as a condition of licensure.

(10) To promulgate rules establishing an inactive license status and an inactive license fee.

[54-605, added 1957, ch. 143, sec. 5, p. 235; am. 1974, ch. 13, sec. 54, p. 138; am. 1987, ch. 119, sec. 1, p. 232; am. 1997, ch. 27, sec. 2, p. 44; am. 2014, ch. 101, sec. 2, p. 298.]

54-606. STATE BOARD OF PODIATRY -- EXAMINATION FOR LICENSES. (1) Every person, except as hereinafter provided, desiring to commence the practice of podiatry within this state shall make written application to the state board of podiatry upon forms to be prescribed and furnished by the board for a license so to do. Such applications shall be accompanied by a fee as established by board rule not to exceed four hundred dollars (\$400). Each applicant shall be at least twenty-one (21) years of age, of good moral character, have completed an accredited podiatric residency as defined by board rule, and be a graduate of some reputable school of podiatry accredited by the board. A reputable school of podiatry for the purposes herein shall mean a school of podiatry requiring for graduation the graduation from an accredited high school, credits granted for at least two (2) full years of general college study in a college or university of recognized standing, and four (4) full years of study in such school of podiatry or its equivalent.

(2) Each applicant shall take and pass a competency exam approved by board rule. The examination shall test for entry level competency to provide podiatric medical services.

(3) The examination fee shall not exceed the amount charged by the board approved exam provider. The applicant shall pay the examination fee directly to the exam provider.

[54-606, added 1957, ch. 143, sec. 6, p. 235; am. 1969, ch. 464, sec. 6, p. 1304; am. 1976, ch. 361, sec. 5, p. 1187; am. 1982, ch. 141, sec. 1, p. 397; am. 1987, ch. 119, sec. 2, p. 233; am. 1990, ch. 36, sec. 2, p. 54; am. 1995, ch. 27, sec. 1, p. 41; am. 1997, ch. 27, sec. 3, p. 45; am. 2003, ch. 72, sec. 1, p. 237; am. 2014, ch. 101, sec. 3, p. 298.]

54-607. LICENSES -- ISSUANCE -- RENEWALS -- DISPLAY. (1) If the applicant passes a satisfactory examination and shows that he is a person of good moral character and he possesses the qualifications required by this chapter to entitle him to a license as a podiatrist, he shall be entitled to a license authorizing him to practice podiatry within the state of Idaho. The successful applicant shall be issued his license by the board upon payment of the

original license fee that shall be established by board rule and shall not exceed the annual renewal fee.

(2) All licenses issued under the provisions of this chapter shall be subject to annual renewal and shall expire unless renewed in the manner prescribed by the board regarding applications for renewal, continuing education, and fees. License renewal and reinstatement shall be in accordance with section [67-2614](#), Idaho Code. An annual renewal license fee established by board rule shall not exceed six hundred fifty dollars (\$650) for podiatrists. Payment of fees herein provided and satisfactory evidence of having complied with continued education requirements as established by board rule are conditions precedent for issuance of a license.

(3) Every person to whom a license is granted shall have such license displayed continuously in a conspicuous part of his office wherein his practice of podiatry is conducted.

(4) The board shall keep on file a register of all applicants for license, rejected applicants and licensees.

(5) The fee for reinstatement of a license shall be as provided in section [67-2614](#), Idaho Code. All fees shall be paid to the bureau of occupational licenses.

[54-607, added 1957, ch. 143, sec. 7, p. 235; am. 1965, ch. 164, sec. 3, p. 317; am. 1969, ch. 464, sec. 7, p. 1304; am. 1974, ch. 13, sec. 55, p. 138; am. 1976, ch. 361, sec. 6, p. 1188; am. 1982, ch. 141, sec. 2, p. 398; am. 1987, ch. 119, sec. 3, p. 233; am. 1997, ch. 27, sec. 4, p. 46; am. 1999, ch. 153, sec. 1, p. 427; am. 2001, ch. 26, sec. 1, p. 31; am. 2003, ch. 21, sec. 5, p. 80; am. 2009, ch. 94, sec. 1, p. 280; am. 2014, ch. 101, sec. 4, p. 299.]

54-608. GROUNDS FOR SUSPENSION, DENIAL, REFUSAL TO RENEW OR REVOCATION OF LICENSE. No license may be issued, and a license previously issued may be suspended, revoked or otherwise disciplined, if the person applying or the person licensed is:

(1) Found guilty by a court of competent jurisdiction of a crime that is deemed relevant in accordance with section [67-9411](#)(1), Idaho Code;

(2) Found by the board to be a repeated and excessive abuser of any drug, including alcohol, or any controlled substance;

(3) Found by the board to be in violation of any provision of this chapter or the rules promulgated pursuant thereto;

(4) Found by the board to have used fraud or deception in the procuring of any license;

(5) Found by the board to have had any action, including denial of a license or the voluntary surrender of or voluntary limitation on a license, taken against the licensee by any peer review body, any health care institution, any professional medical society or association or any court, law enforcement or governmental agency;

(6) Found by the board to have been unethical, unprofessional or dishonorable in the practice of healing the sick; or

(7) Found by the board to have failed to comply with an order issued by the board.

[54-608, added 1957, ch. 143, sec. 8, p. 235; am. 1976, ch. 361, sec. 7, p. 1188; am. 1993, ch. 216, sec. 53, p. 638; am. 1997, ch. 27, sec. 5, p. 46; am. 2014, ch. 101, sec. 5, p. 300; am. 2020, ch. 175, sec. 14, p. 519.]

54-609. UNPROFESSIONAL OR DISHONORABLE CONDUCT JUSTIFYING SUSPENSION OR REVOCATION OF LICENSE DEFINED. It shall constitute unprofessional or dishonorable conduct justifying suspension or revocation of a license for any person holding a license to practice podiatry to:

1. Offer, give or promise, either directly or indirectly, any gift in return for the procurement of a patient or patients for podiatric treatment.
2. Request, list, accept or receive any rebates or commission for prescribing or recommending any footwear, drug, medicine, or any other article, to his patients.
3. Prescribe, dispense or pretend to use, in treating any patient, any secret remedial agent, or manifest or promote its use in any way, or guarantee or imply to guarantee any treatment, therapy or remedy whatsoever.
4. Use any form of advertising that is false, misleading or deceptive.
5. Use any title other than that of podiatrist or doctor of podiatric medicine; provided the term "foot specialist" or "physician and surgeon of the feet" may be used as explanatory terms of the title podiatrist but not alone or as a substitute therefor.
6. Employ a solicitor or solicitors to obtain business.
7. Publish or use untruthful or improbable statements with the intent of deceiving or defrauding the public or any patient.
8. Violate any rule promulgated by the board which prescribes the standards for the ethical practice of podiatry in this state.

[54-609, added 1957, ch. 143, sec. 9, p. 235; am. 1976, ch. 361, sec. 8, p. 1189; am. 1982, ch. 141, sec. 3, p. 398; am. 1993, ch. 314, sec. 1, p. 1166; am. 1997, ch. 27, sec. 6, p. 47.]

54-610. PROCEEDINGS FOR SUSPENSION, REVOCATION OR OTHER DISCIPLINE OF LICENSE. (1) Proceedings for the suspension, revocation or other discipline of a license shall be conducted in accordance with the provisions of [chapter 52, title 67](#), Idaho Code.

(2) The board shall have the power to administer oaths, take depositions of witnesses within or without the state in the manner provided by law in civil cases, and shall have power throughout the state of Idaho to require the attendance of such witnesses and the production of such books, records and papers as it may desire, relevant to any hearing before it of any matter which it has authority to investigate, and for that purpose the board may issue a subpoena for any witness or a subpoena duces tecum to compel the production of books, records or papers, directed to the sheriff of any county of the state of Idaho where such witness resides or may be found, which shall be served and returned in the same manner as a subpoena in a criminal case. Fees and mileage of the witnesses shall be the same as that allowed in the district courts in criminal cases, and shall be paid from any funds in the state treasury in the same manner as other expenses of the board are paid. In the event of disobedience to or neglect of any subpoena or subpoena duces tecum served upon any person, or the refusal of any witness to testify to any matter regarding which he may be lawfully interrogated, it shall be the duty of the district court of any county in this state in which such disobedience, neglect or refusal occurs, or any judge thereof, on application by the board, to compel obedience by proceedings for contempt as in the case of disobedience of the requirements of a subpoena issued from such court or for refusal to testify therein. The licensed person accused shall have the same right of subpoena upon making application to the board therefor.

(3) If the board shall find that the licensed person accused has violated any of the provisions of this act, the board may enter an order suspending his license for not less than thirty (30) days nor more than two (2) years. A suspended license may not be reinstated during the term of the suspension except upon order of a district court reversing the board, or upon order of the board itself after hearing new or additional evidence not available at the original proceedings. A revoked license may not be reinstated except upon order of a district court reversing the board.

[54-610, added 1957, ch. 143, sec. 10, p. 235; am. 1974, ch. 13, sec. 56, p. 138; am. 1976, ch. 361, sec. 9, p. 1190; am. 1993, ch. 216, sec. 54, p. 639; am. 2014, ch. 101, sec. 6, p. 300.]

54-611. JUDICIAL REVIEW OF PROCEEDINGS OF THE BOARD REVOKING OR SUSPENDING LICENSE. Any person whose license shall have been revoked or suspended by the board shall have the right to judicial review of the board's action in accordance with the provisions of [chapter 52, title 67](#), Idaho Code.

[54-611, added 1957, ch. 143, sec. 11, p. 235; am. 1974, ch. 13, sec. 57, p. 138; am. 1993, ch. 216, sec. 55, p. 640.]

54-612. EXAMINATION NOT REQUIRED OF LICENSED PERSONS. Any person now licensed in the state to practice podiatry shall be entitled to a renewal of his license, without examination, by applying to the board for a renewal of the same, submitting satisfactory evidence of having met the continued education requirements and tendering the renewal license fee.

[54-612, added 1957, ch. 143, sec. 12, p. 235; am. 1969, ch. 464, sec. 8, p. 1304; am. 1974, ch. 13, sec. 58, p. 138; am. 1976, ch. 361, sec. 10, p. 1192; am. 1982, ch. 141, sec. 4, p. 399.]

54-613. LICENSE BY ENDORSEMENT. The board may issue a license to an applicant by endorsement where the applicant has passed an examination for and is currently licensed to practice podiatry in another state. The applicant must satisfy in all other respects the requirements for licensure in this act and any rules adopted by the board. All applications for licensure by endorsement must be accompanied by an application fee as established by board rule not to exceed four hundred dollars (\$400).

[54-613, added 1957, ch. 143, sec. 13, p. 235; am. 1969, ch. 464, sec. 9, p. 1304; am. 1976, ch. 361, sec. 11, p. 1192; am. 1990, ch. 36, sec. 3, p. 55; am. 1997, ch. 27, sec. 7, p. 47; am. 2001, ch. 26, sec. 2, p. 31; am. 2003, ch. 72, sec. 2, p. 238.]

54-614. PRACTICE WITHOUT A LICENSE A MISDEMEANOR. Any person who practices or attempts to practice podiatry, publicly advertises as a podiatrist, or who uses the title chiropodist, podiatrist, or any other word, title or abbreviation calculated to induce belief that he is engaged in the practice of podiatry, or who holds himself out to the public as diagnosing the ailments of or treating in any manner the human foot by medical, physical or surgical methods, without a license as provided in this act, shall be deemed guilty of a misdemeanor.

[54-614, added 1957, ch. 143, sec. 14, p. 235; am. 1976, ch. 361, sec. 12, p. 1192.]

54-615. MONEYS DEPOSITED IN THE STATE TREASURY. All moneys of any kind collected under the provisions of this act shall be immediately remitted to the bureau of occupational licenses for deposit in the state treasury to the credit of the occupational licenses fund.

[54-615, added 1957, ch. 143, sec. 15, p. 235; am. 1974, ch. 13, sec. 59, p. 138.]